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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Applicati n Number	09/893,321
		Filing Date	06/27/01
		First Named Inventor	Walke
		Group Art Unit	1653
		Examiner Name	R.S. Landsman
Total Number of Pages in This Submission	11	Attorney Docket Number	LEX-0195-USA

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9/a
11/9/02

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Notice to Comply <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communications to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communications to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): return postcard Verified Statement and Sequence List on Diskette Copy of sequence listing (4 pages) Copy of original S/N postcard Copy of Notice to Comply
Remarks		 24231 PATENT TRADEMARK OFFICE

10/2/02

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Lance K. Ishimoto, Reg. No. 41,866 Lexicon Genetics Incorporated
Signature	 Alex G. Seaman Reg No 40162
Date	October 2, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box Sequence, P.O. Box 2327, Arlington, VA 22202 on this date:			
Typed or printed name		Nancy Stacey	
Signature		Date	October 2, 2002

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Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/393321	6/27/01	Wade et al	LEX-0195-USA



EXAMINER	
LANDSMAN	
ART UNIT	PAPER NUMBER
1647	6

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

APPLICANT IS GIVEN ONE EXTENDIBLE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to [redacted] whose telephone number is (703) 30 [redacted]

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Application No.: 09/893321

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.

- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: Applicant should follow the format of the attached sample statement to request that the CRF file in the parent application be used to create a CRF in this application.

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Walke *et al.*

Application No.: 09/893,321

Group Art Unit: 1647

Filed: 06/27/01

Examiner: R.S. Landsman

Title: Novel Human GABA Receptors and
Polynucleotides Encoding the Same

Attorney Docket No.: LEX-0195-USA

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**RESPONSE TO NOTICE TO COMPLY WITH
REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR
AMINO ACID SEQUENCE DISCLOSURES**

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures ("the Notice"), mailed September 3, 2002 in connection with the above-identified application, Applicants submit herewith: (i) a Sequence Listing in computer readable form pursuant to 37 C.F.R. § 1.821(e); (ii) a Verified Statement Concerning Sequence Listing Under 37 C.F.R. § 1.821(f) and (iii) a replacement copy of sequence listing as originally submitted. Applicants respectfully request the entry of the computer readable form of the Sequence Listing into the file.

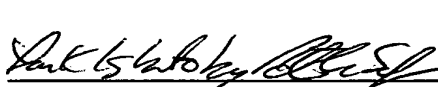
With regard to the statement on the Notice regarding Applicants alleged failure to provide an initial copy of the Sequence Listing as a separate part of the disclosure on paper copy, as required under 37 C.F.R. § 1.821(c), Applicants note for the record that a paper copy of the Sequence Listing was originally submitted with the application as filed on June 27, 2001, as evidenced by the return postcard received from the Patent and Trademark Office ("The Office"), a copy of which is included herewith. Applicants submit that the request for

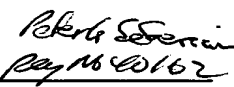
an original paper copy of the Sequence Listing was made in error, or that the copy of the Sequence Listing as originally filed has been misplaced by the Office. Therefore, Applicants believe that an amendment, as requested in the Notice, is not necessary.

However, in order to attempt to comply with the Notice within the time period set for response, Applicants are submitting a replacement copy of the Sequence Listing, which was originally submitted with the application on June 27, 2001. The present document is a complete response to the Notice. Applicants believe that no fees are due in connection with this response. However, the Commissioner is authorized to charge any required fees to Deposit Account No. 50-0892. Should Examiner Arthur have any further questions concerning the present application, a telephone call to the undersigned Applicants' representative is earnestly solicited.

Respectfully submitted,

October 2, 2002
Date


Lance K. Ishimoto


Reg. No. 41,866

LEXICON GENETICS INCORPORATED
(281) 863-3333



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JUL 09 2001

Box Patent Application

Express Mail No.: EL 893516034 US

Per. MK.....

Date Mailed 6/27/01

U.S. Appl. Ser. No.: to be assigned

Inventors: Walke, Friddle, Mahur, Turner

Title: Novel human GABA Receptors and Polynucleotides
Encoding the same

Attorney Docket No.: LEX-0195-USA

☒ Specification 31 pages total (29 pages spec; 1 claim page(s); 1 page Abstract)

☒ Transmittal Letter (original)

☐ Drawings (pages; number of drawings)

☒ Sequence Listing (4 pages) & diskette

Other: return postcard; unsigned Declaration

☒ Verified Statement re: Sequence Listing ✓

JC978 U.S. PTO

09/893321



06/27/01